

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Carl S. Jones, Jr., Anthony Lee,)	
Charles Lantzy, Christian Stevens,)	Civil Action No. 2:21-cv-1094
Courde Daye, Daelon Hill-Johnson,)	
Daniel Miles, Daymond Wiggins,)	
Devin Hale, Devon Thompson, Elijah)	Magistrate Judge Lisa Pupo Lenihan
Price, Geron Anderson, Jaimone)	
Robinson, Jaque David, Jeremy)	
Carson, Jermaine Dehonney, Juan)	
Hayden, Justin Parrotte, Mario Wall,)	
Martell Smith, Nathaniel)	
Weatherspoon, Racoco Williams,)	
Raymond Harrison, Roman Jones,)	
Stephen Day, Thomas Morton, To-)	
Michael Sherrell, William Lynn, Zai-)	
Quan Henderson, Jermaine Rodgers,)	
)	
Plaintiffs,)	
)	
v.)	
)	
County of Allegheny and Warden)	
Orlando L. Harper,)	
)	
Defendants.)	

ORDER

The Plaintiffs¹ in this matter have submitted for filing a complaint. However, only Plaintiff Carl S. Jones, Jr. has submitted the required forms to proceed *in forma pauperis* in a civil rights case. In Hagan v. Rogers, 570 F.3d 146 (3d Cir. 2009), the Court of Appeals for the Third Circuit held that prisoners are not categorically barred from joining as plaintiffs under Federal Rule of Civil Procedure 20, and further addressed certain consequences applicable to civil cases in which multiple prisoner plaintiffs seek to join in one action pursuant to Rule 20.

¹ The Plaintiffs are all currently or formerly incarcerated at the Allegheny County Jail.

For example, it held that where the entire filing fee has not been prepaid, the full filing fee must be assessed against each *in forma pauperis* co-plaintiff to join under Rule 20, as though each plaintiff were proceeding individually. *Id.* at 150. The Plaintiffs in this case have not prepaid the full filing fee. Therefore, this action may not proceed with the remaining twenty-nine (29) Plaintiffs unless they either

- (1) tender to the “Clerk, U.S. District Court” a statutory filing fee in the amount of \$402.00, or,
- (2) each file a properly completed application to proceed *in forma pauperis*, along with an authorization form and a certified copy of their prison account statements for the six (6) months preceding the filing of the complaint.

Therefore,

IT IS HEREBY ORDERED this 20th day of August, 2021, that, if they desire to proceed with this action, each of the remaining twenty-nine (29) Plaintiffs must submit a motion to proceed *in forma pauperis*, along with certified copies of their inmate account statements for the six (6) months preceding the filing of the complaint. Or, they may proceed with this case by paying the full \$402.00 filing fee.

IT IS FURTHER ORDERED that if the remaining twenty-nine (29) Plaintiffs do not submit motions to proceed *in forma pauperis* or pay the \$402.00 filing fee within thirty (30) days from the date of this Order then they will be dismissed from this action and this case will proceed with only those Plaintiffs who have complied with this Order.

AND IT IS FURTHER ORDERED that the Plaintiffs are allowed fourteen (14) days from this date to appeal this order to a District Judge pursuant to Rule 72.C.2 of the Local Rules. Failure to appeal within fourteen (14) days may constitute waiver of the right to appeal.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan
United States Magistrate Judge

Cc: Carl S. Jones, Jr., 146436
Anthony Lee,
Charles Lantzy,
Christian Stevens, 120309
Courde Daye, 179147
Daelon Hill-Johnson, 180163
Daniel Miles, 142047
Daymond Wiggins, 105678
Devin Hale, 183220
Devon Thompson, 108669
Elijah Price, 189038
Geron Anderson, 173396
Jaimone Robinson, 181591
Jaque David, 159376
Jeremy Carson, 176566
Jermaine Dehonney,
Juan Hayden, 19930
Justin Parrotte, 136007
Mario Wall, 95319
Martell Smith, 46430
Nathaniel Weatherspoon, 155557
Racoco Williams, 186486
Roman Jones, 158919
Stephen Day, 96266
Thomas Morton, 187258
To-Michael Sherrell, 178107
William Lynn, 126112
Zai-Quan Henderson,
Jermaine Rodgers, 187466

Allegheny County Jail
950 Second Ave.
Pittsburgh, PA 15219

Raymond Harrison, 174650
Renewal Inc.
339 Boulevard of the Allies
Pittsburgh, PA 15222